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Editorial Notes

PRIOR PROVISIONS

A prior analysis for chapter 9 “COAST GUARD ACADEMY” consisted of items 181 “Administration of Academy”, 181a “Cadet applicants; preappointment travel to Academy”, 182 “Cadets; number, appointment, obligation to serve”, 183 “Cadets; initial clothing allowance”, 184 “Cadets; degree of bachelor of science”, 185 “Cadets; appointment as ensign”, 186 “Civilian teaching staff”, 187 “Permanent commissioned teaching staff; composition”, 188 “Appointment of permanent commissioned teaching staff”, 189 “Grade of permanent commissioned teaching staff”, 190 “Retirement of permanent commissioned teaching staff”, 191 “Credit for service as member of civilian teaching staff”, 192 “Assignment of personnel as instructors”, 194 “Annual Board of Visitors”, 195 “Admission of foreign nationals for instruction; restrictions; conditions”, 196 “Participation in Federal, State, or other educational research grants”, 197 “Cadets; charges and fees for attendance; limitation”, 199 “Marine safety curriculum”, and 200 “Policy on sexual harassment and sexual violence”, prior to repeal by Pub. L. 115–282, title I, §107(a), Dec. 4, 2018, 132 Stat. 4204.

AMENDMENTS

Pub. L. 115–282, title I, §107(a), title III, §310(b), Dec. 4, 2018, 132 Stat. 4204, 4248, inserted chapter 9 designation and heading and added items 901 to 952.

SUBCHAPTER I—REAL AND PERSONAL PROPERTY

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–282, title I, §107(c)(1), Dec. 4, 2018, 132 Stat. 4207, inserted subchapter I designation and heading.

§ 901. Disposal of certain material

(a) The Commandant subject to applicable regulations under subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41 may dispose of, with or without charge, to the Coast Guard Auxiliary, including any incorporated unit thereof, to the sea-scout service of the Boy Scouts of America, and to any public body or private organization not organized for profit having an interest therein for historical or other special reasons, such obsolete or other material as may not be needed for the Coast Guard.

(b) The Commandant may, under regulations prescribed by the Secretary, sell apparatus or equipment manufactured by or in use in the Coast Guard, which is not readily procurable in the open market. The money received from such sale shall be deposited in the Treasury to the credit of the current appropriation from which purchase of similar apparatus or equipment is authorized.

(c)(1) The Commandant may—

(A) provide for the sale of recyclable materials that the Coast Guard holds;

(B) provide for the operation of recycling programs at Coast Guard installations; and

(C) designate Coast Guard installations that have qualified recycling programs for the purposes of subsection (d)(2).

(2) Recyclable materials shall be sold in accordance with sections 541–555 of title 40, except that the Commandant may conduct sales of materials for which the proceeds of sale will not exceed \$5,000 under regulations prescribed by the Commandant.

(d)(1) Proceeds from the sale of recyclable materials at a Coast Guard installation shall be credited to funds available for operations and maintenance at that installation in amounts sufficient to cover operations, maintenance, recycling equipment, and overhead costs for processing recyclable materials at the installation.

(2) If, after funds are credited, a balance remains available to a Coast Guard installation and the installation has a qualified recycling program, not more than 50 percent of that balance may be used at the installation for projects for pollution abatement, energy conservation, and occupational safety and health activities. The cost of the project may not be greater than 50 percent of the amount permissible for a minor construction project.

(3) The remaining balance available to a Coast Guard installation may be transferred to the Coast Guard Morale, Welfare, and Recreation Program.

(e) If the balance available to the Coast Guard installation under this section at the end of a fiscal year is in excess of \$200,000, the amount of that excess shall be deposited in the general

fund of the Treasury as offsetting receipts of the Department in which the Coast Guard is operating and ascribed to Coast Guard activities.

(Aug. 4, 1949, ch. 393, 63 Stat. 547, §641; Oct. 31, 1951, ch. 654, §2(11), 65 Stat. 707; Pub. L. 97–295, §2(4), Oct. 12, 1982, 96 Stat. 1301; Pub. L. 102–587, title V, §5202, Nov. 4, 1992, 106 Stat. 5071; Pub. L. 104–324, title IV, §408, title XI, §1119, Oct. 19, 1996, 110 Stat. 3925, 3973; Pub. L. 107–217, §3(c)(3), Aug. 21, 2002, 116 Stat. 1298; Pub. L. 111–350, §5(c)(3), Jan. 4, 2011, 124 Stat. 3847; Pub. L. 114–120, title II, §209(10), Feb. 8, 2016, 130 Stat. 41; renumbered §901, Pub. L. 115–282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

HISTORICAL AND REVISION NOTES

Subsection (a) is based on title 14, U.S.C., 1946 ed., §43a (Apr. 10, 1936, ch. 179, 49 Stat. 1195). The authorization is enlarged to include any public body or private organization not organized for profit, and the authority to make disposal is placed in the Commandant rather than in the Secretary.

Subsection (b) is based on title 33, U.S.C., 1946 ed., §752a (May 22, 1926, ch. 371, §5, 44 Stat. 626).

Changes were made in phraseology. 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–282 renumbered section 641 of this title as this section.

2016—Subsec. (d)(3). Pub. L. 114–120 substituted “Guard installation” for “Guard, installation”.

2011—Subsec. (a). Pub. L. 111–350 substituted “division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41” for “title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)”.

2002—Subsec. (a). Pub. L. 107–217, §3(c)(3)(A), inserted “subtitle I of title 40 and title III of” before “the Federal Property and Administrative Services Act of 1949” and substituted “(41 U.S.C. 251 et seq.)” for “(40 U.S.C. 471 et seq.)”.

Subsec. (c)(2). Pub. L. 107–217, §3(c)(3)(B), substituted “sections 541–555 of title 40” for “section 203 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)”.

1996—Subsec. (a). Pub. L. 104–324, §408, inserted “to the Coast Guard Auxiliary, including any incorporated unit thereof,” after “with or without charge,” and struck out “to any incorporated unit of the Coast Guard Auxiliary,” after “Boy Scouts of America.”.

Subsec. (c)(2). Pub. L. 104–324, §1119, inserted “, except that the Commandant may conduct sales of materials for which the proceeds of sale will not exceed \$5,000 under regulations prescribed by the Commandant” before period at end.

1992—Subsecs. (c) to (e). Pub. L. 102–587 added subsecs. (c) to (e).

1982—Subsec. (a). Pub. L. 97–295 substituted “(40 U.S.C. 471 et seq.)” for “, as amended,” after “Act of 1949”.

1951—Subsec. (a). Act Oct. 31, 1951, inserted reference to applicable regulations of the Federal Property and Administrative Services Act of 1949, as amended, and substituted “incorporated” for “regularly organized flotilla or other organized”.

§ 902. Employment of draftsmen and engineers

The Coast Guard may employ temporarily, at the seat of government, draftsmen and engineers for the preparation of plans and specifications for vessels, lighthouses, aids to navigation, and other projects for the Coast Guard that may be authorized or appropriated for by Congress, to

be paid from the appropriations applicable to such projects.

(Aug. 4, 1949, ch. 393, 63 Stat. 550, §653; renumbered §902, Pub. L. 115–282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205.)

HISTORICAL AND REVISION NOTES

Based on title 33, U.S.C., 1946 ed., §716 (June 17, 1910, ch. 301, §9, 36 Stat. 538; July 27, 1939, ch. 388, §1, 53 Stat. 1130).

Changes were made in phraseology. 81st Congress, House Report No. 557.

Editorial Notes

AMENDMENTS

2018—Pub. L. 115–282 renumbered section 653 of this title as this section.

§ 903. Use of certain appropriated funds

(a) Funds appropriated to or for the use of the Coast Guard for procurement, construction, and improvement of facilities and for research and development shall remain available until expended.

(b) The Secretary may use any funds appropriated to or for the use of the Coast Guard for other construction purposes to restore, repair, or replace facilities that have been damaged or destroyed, including acquisition of sites.

(c) The Secretary may use any funds appropriated to or for the use of the Coast Guard for other construction purposes to acquire, construct, convert, extend, and install at Coast Guard installations and facilities, needed permanent or temporary public works, including the preparation of sites and the furnishing of appurtenances, utilities, and equipment, but excluding the construction of family quarters, costing not more than \$200,000 for any one project.

(d) MINOR CONSTRUCTION AND IMPROVEMENT.—

(1) IN GENERAL.—Subject to the reporting requirements set forth in paragraph (2), each fiscal year the Secretary may expend from amounts made available for the operations and support of the Coast Guard not more than \$1,500,000 for minor construction and improvement projects at any location.

(2) REPORT.—Not later than the date on which the President submits to Congress a budget under section 1105 of title 31 each year, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing each project carried out under paragraph (1), in the most recently concluded fiscal year, for which the amount expended under such paragraph for such project was more than \$1,000,000. If no such project was carried out during a fiscal year, no report under this paragraph shall be required with respect to that fiscal year.

(Added Pub. L. 88–45, §2, June 21, 1963, 77 Stat. 68, §656; amended Pub. L. 93–283, §1(9), May 14, 1974, 88 Stat. 140; Pub. L. 112–213, title II, §212(a), (b)(1), Dec. 20, 2012, 126 Stat. 1552; Pub. L. 113–281, title II, §221(b)(2), Dec. 18, 2014, 128 Stat. 3038; renumbered §903, Pub. L. 115–282, title I, §107(b), Dec. 4, 2018, 132 Stat. 4205; Pub. L. 116–283, div. G, title LVXXXV [LXXXV], §8513(a)(2), Jan. 1, 2021, 134 Stat. 4760.)